IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO. 4439 OF 2007

Sumer Corporation ... Petitioner

V/s.

State of Maharashtra & Ors. ... Respondents

Mr. V.A. Thorat, Senior Advocate, with Mr. Vaibhav Sugdare i/by Mr. Yasmin Bhansali for the Original Petitioner

Mr. K.R. Belosey, Government Pleader, for Respondent No. 1

Mr. S.G. Surana for Respondents No. 2 and 3

Mr. K.K. Singhvi, Senior Advocate, with Ms. Shobha Ajeet Kumar for the Respondent-B.M.C.

CORAM: **J.N. PATEL AND A.A. SAYED, JJ.**

DATE: **OCTOBER 3, 2007**

P.C.:-

1. The learned counsel for the petitioner submits that in view of the fact that the Deputy Collector has issued Annexure II in respect of the project, and as the slum dwellers who are to be rehabilitated have been identified, the reliefs sought in the petition

do not survive, except that in order to facilitate the petitioner to complete the project, the respondent – Slum Rehabilitation Authority as well as Municipal Corporation of Greater Bombay should co-operate with the petitioner.

2. The learned counsel appearing for the Slum Rehabilitation Authority states that on the petitioner submitting the Completion Certificate firstly, from the Executive Engineer (Roads) on internal roads in the project, secondly, in respect of the storm water drain and thirdly, on securing the electric connection to the building, it will issue Occupation Certificate in a phased manner.

3. On such compliance, the Additional and Deputy Collectors (Enc.) would rehabilitate the eligible slum dwellers and remove the non-eligible ones so as to make the plot / site available for further development. We expect the authority to act in the matter as expeditiously as possible, so that the petitioner can complete the project at the earliest.

4. Hence, nothing survives in this petition, and it is disposed of accordingly.

J.N. PATEL, J.

A.A. SAYED, J.